

REMARKS

At the outset, Applicants wish to thank the Examiner for indicating that Claim 1-8 are allowable on the present record.

Claims 1-10 are pending in this application. By this Amendment, claims 9 and 10 are being canceled without prejudice or disclaimer. Applicants earnestly request that the Amendment be entered after Final Rejection since it involves only the cancellation of claims. In view of the Examiner's indication that claims 1-8 are allowable, Applicants respectfully submit that the application stands in condition of allowance.

Claim Rejections

Rejections Under 35 U.S.C. § 102/103

- A. Response to rejection of claims 9 and 10 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Segalini.

Response to the rejection of claims 9 and 10 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over GB 1482148 of Segalini (“Segalini”).

The Examiner has maintained the Rejection for the reasons set forth on page 3 of the previous Office Action, and an interpretation of Applicants' claims 9-10 and Segalini's Sheet 1. Applicants disagree with the Examiner's conclusions as to each of these, however solely to further prosecution, Applicants have canceled claims 9-10 without prejudice or disclaimer, thereby rendering this Rejection moot.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have questions or comments regarding this application or this Amendment, Applicants' attorney would welcome the opportunity to discuss the case with the Examiner.

The Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any fee required for consideration of this Amendment.

This is intended to be a complete response to the Office Action mailed November 14, 2008.

Respectfully submitted,

William R. Reid
William R. Reid
Registration No. 47,894
Attorney for Applicant

I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 9, 2009.

Alphonse A. Cutts
February 9, 2009
Date of Signature

Basell USA Inc.
Delaware Corporate Center II
2 Righter Parkway, Suite 300
Wilmington, DE 19803 USA
Attorney's Telephone No.: 302-683-8178
Attorney's Fax No.: 302-731-6408